

## CLASSIFICATION OF OFFENSES

Uniformity in reporting under the Maine Uniform Crime Reporting System is based on the proper classification of offenses reported to or known by the police.

The adoption of the National System of Uniform Crime Reporting included the utilization of the offense classifications of that system. Law enforcement in this state has made accurate application of those classifications in the reports submitted to the Maine Uniform Crime Reporting System.

In view of the need for compatibility with the National System, “offenses” under the program are not distinguished by designation of “misdemeanors,” “felonies” or violations of municipal ordinances.

The explanations of offense classifications may vary slightly from language used by those familiar with Maine state law. However, the major categories of offense classification remain the same between the national and state levels.

### PART I OFFENSES

*Offense data consists of information that has been extracted from reports of Part I crimes that have come to the attention of Maine law enforcement agencies. In general, Part I crimes are usually reported to law enforcement agencies. Part I crimes are comprised of the following offenses.*

#### 1. HOMICIDE

##### 1a. Murder and Non-Negligent Manslaughter —

The unlawful killing of a human being with malice aforethought.

**General Rule** — Any death due to a fight, quarrel, argument, assault or commission of a crime.

##### 1b. Manslaughter by Negligence — The unlawful killing of a human being, by another, through gross negligence.

**General Rule** — The killing may result from the commission of an unlawful act or from a lawful act performed with gross negligence.

#### 2. FORCIBLE RAPE

##### 2a. Rape by Force — The carnal knowledge of a female forcibly and against her will.

**General Rule** — Forcible rape of a female — excluding carnal abuse (statutory rape) or other sex offenses.

##### 2b. Attempted Forcible Rape — All assaults and attempts to rape.

#### 3. ROBBERY

*The felonious and forcible taking of the property of another, against his will, by violence or by putting him in fear. Includes all attempts.*

##### 3a. Gun — All robberies and attempted robberies involving the use of any type of firearm (revolvers, automatic pistols, shotguns, zip guns, rifles, pellet guns, etc.).

##### 3b. Knife or Cutting Instrument — All robberies and attempted robberies involving the use of cutting or stabbing objects (knife, razor, hatchet, axe, scissors, glass, dagger, ice pick, etc.).

##### 3c. Other Dangerous Weapon — All robberies or attempted robberies when any other object or thing is used as a weapon. (This includes clubs, bricks, jack handles, explosives, acid, etc.).

##### 3d. Strong Arm — Hands, Fists, Feet, Etc. — All robberies which include mugging and similar offenses where no weapon is used, but strong arm tactics are employed to deprive the victim of his property. This is limited to hands, arms, fists, feet, etc. As in armed robbery, includes all attempts.

#### 4. ASSAULT

*An assault is an attempt or offer, with unlawful force or violence, to do physical injury to another.*

**General Rule** — All assaults will be classified in the following categories excluding assaults with intent to rob or rape.

##### 4a. Gun — All assaults and attempted assaults involving the use of any type of firearm (revolvers, automatic pistols, shotguns, zip guns).

##### 4b. Knife or Cutting Instrument — All assaults and attempted assaults involving the use of cutting or stabbing objects (knife, razor, hatchet, axe, scissors, glass, dagger, ice pick, etc.).

##### 4c. Other Dangerous Weapon — All assaults or attempted assaults when any other object or thing is used as a weapon (clubs, bricks, jack handles, explosives, acid, poison, burning, and cases of attempted drowning, etc.).

##### 4d. Hands, Fists, Feet, Etc. — Aggravated — Assaults which are of an aggravated nature when hands, fists, feet, etc., are used. To be classified as aggravated assault, the attack must result in serious injury.

#### 5. BURGLARY

*Breaking and Entering — Unlawful entry or attempted forcible entry of any structure to commit a felony or larceny.*

**Note:** For Uniform Crime Reporting purposes, the terms “Burglary” and “Breaking and Entering” are considered synonymous. All such offenses and attempts are scored as burglary. Do not score the larceny. Breaking and Entering of a motor vehicle is classified as a larceny for Uniform Crime Reporting purposes.

**General Rule** — Any unlawful entry or attempted forcible entry of any dwelling house, attached structure, public building, shop, office, factory, storehouse, apartment, house trailer (considered to be a permanent structure), warehouse, mill, barn, camp, other building, ship or railroad car.

##### 5a. Forcible Entry — All offenses where force of any kind is used to enter unlawfully a locked structure, with intent to steal or commit a felony.

This includes entry by use of a master key, celluloid, or other device that leaves no outward mark but is used to open a lock. Concealment inside a building, followed by the breaking out of the structure, is also included.

**5b. Unlawful Entry — No Force** — Any unlawful entry without any evidence of forcible entry.

**5c. Attempted Forcible Entry** — When determined that forcible entry has been attempted.

## **6. LARCENY-THEFT (Except Auto Theft)**

*The unlawful taking of the property of another with intent to deprive him of ownership.*

**General Rule** — All larcenies and thefts resulting from pocket-picking, purse snatching, shoplifting, larceny from auto, larceny of auto parts and accessories, theft of bicycles, larceny from buildings, and from coin-operated machines. Any theft that is not a robbery or the result of breaking and entering is included. Embezzlement, larceny by bailee, fraud or bad check cases are excluded.

## **7. MOTOR VEHICLE THEFT**

*The larceny or attempted larceny of a motor vehicle.*

**General Rule** — This classification includes the theft or attempted theft of a motor vehicle which, for Uniform Crime Reporting designation, is described as a self-propelled vehicle that runs on the surface of the land and not on rails. Excludes reported offenses where there is a lawful access to the vehicle, such as a family situation or unauthorized use by others with lawful access to the vehicle (chauffeur, employees, etc.). Includes "joy riding." Excluded from this category are airplanes, boats, farm equipment and heavy construction vehicles, which are scored in the larceny category.

## **8. ARSON**

*Includes all arrests for violations of state laws and municipal ordinances relating to arson and attempted arson.*

*The willful or malicious burning to defraud, a dwelling house, church, college, jail, meeting house, public building, or any building, ship or vessel, motor vehicle or aircraft, contents of buildings, personal property of another, goods or chattels, crops, trees, fences, gates, lumber, woods, bogs, marshes, meadows, etc., should be scored as arson.*

## **PART II OFFENSES**

*The Maine Uniform Crime Reporting System requires information on persons arrested and charged by municipal, county and state agencies on a monthly basis.*

*In compiling data for the monthly returns, the violations of municipal ordinances as well as state laws are to be included.*

## **9. OTHER ASSAULTS**

*This class is comprised of all assaults and attempted assaults which are simple or minor in nature. These "Other Assaults" are also scored on ME UCR-1 under item 4e as an offense known to police. However, for the*

*purpose of this return, arrests for non-aggravated assaults are scored in this class.*

## **10. FORGERY AND COUNTERFEITING**

*Place in this class all offenses dealing with the making, altering, uttering or possessing, with intent to defraud, anything false in the semblance of that which is true.*

### **Include:**

- Altering or forging public or other records.
- Making, altering, forging or counterfeiting bills, notes, drafts, tickets, checks, credit cards, etc.
- Forging wills, deeds, bonds, seals, etc.
- Counterfeiting coins, plates, checks, etc.
- Possessing or uttering forged or counterfeited instruments.
- Signing the name of another or fictitious person with intent to defraud.
- All attempts to commit any of the above.

## **11. FRAUD**

*Fraudulent conversion and obtaining money or property by false pretense.*

### **Include:**

- Bad checks, except forgeries or counterfeiting.
- Leaving full-service gas station without paying attendant.
- Unauthorized withdrawal of money from an automatic teller machine.
- Failure to return rented VCRs or videotapes.

## **12. EMBEZZLEMENT**

*Misappropriation or misapplication of money or property entrusted to one's care, custody or control.*

## **13. STOLEN PROPERTY: BUYING, RECEIVING, POSSESSING**

*Include in this class all offenses of buying, receiving, and possessing stolen property, as well as all attempts to commit any of these offenses.*

## **14. VANDALISM**

*Vandalism consists of the willful or malicious destruction, injury, disfigurement or defacement of any public or private property, real or personal, without consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, covering with filth, or any other such means as may be specified by local law. Count all arrests for the above, including attempts.*

## **15. WEAPONS: CARRYING, POSSESSING**

*This class deals with violations of weapons laws such as:*

- Manufacture, sale or possession of deadly weapons.
- Carrying deadly weapons.
- Furnishing deadly weapons to minors.
- Aliens possessing deadly weapons.
- All attempts to commit the above.

## **16. PROSTITUTION & COMM. VICE**

*Include in this class the sex offenses of a commercial-*

ized nature such as:

- Prostitution.
- Keeping a bawdy house, disorderly house or house of ill repute.
- Pandering, procuring, transporting or detaining women for immoral purposes.
- All attempts to commit the above.

## 17. SEX OFFENSES

*(Except forcible rape, prostitution, and commercialized vice.) Include offenses against chastity, common decency, morals, and the like.*

- Adultery and fornication.
- Buggery.
- Incest.
- Indecent exposure.
- Sodomy.
- Statutory rape — (no force).
- All attempts to commit any of the above.

## 18. DRUG ABUSE VIOLATIONS

*Drug abuse violation arrests are requested on the basis of the narcotics used. Include all arrests for violations of state and local ordinances, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. Make the following subdivisions of drug law arrests, keeping in mind to differentiate between sale/manufacturing and possession.*

- Opium or cocaine and their derivatives: morphine, heroin, codeine.
- Marijuana.
- Synthetic narcotics, manufactured narcotics which can cause true drug addiction: Demerol, methadones.
- Dangerous non-narcotic drugs: barbiturates, benzedrine.

## 19. GAMBLING

*All charges which relate to promoting, permitting or engaging in gambling. To provide a more refined collection of gambling arrests, the following breakdown should be furnished:*

- Bookmaking (horse and sport books).
- Numbers and lottery.
- All other (include all attempts).

## 20. OFFENSES AGAINST FAMILY & CHILDREN

*Include here all charges of non-support and neglect of family and children.*

- Desertion, abandonment, or non-support.
- Neglect or abuse of children.
- Non-payment of alimony.

Note: Do not count victims of these charges who are merely taken into custody for their own protection.

## 21. DRIVING UNDER THE INFLUENCE

*This class is limited to the driving or operating of any vehicle while drunk or under the influence of liquor or narcotic drugs.*

## 22. LIQUOR LAWS

*With the exception of “Drunkenness” (Class 23) and “OUI” (Class 21), liquor law violations, state or local, are placed in this class. Do not include federal violations.*

### Include:

- Manufacturing, sale, transportation, furnishing, possessing, etc.
- Maintaining unlawful drinking places.
- Operating a still.
- Furnishing liquor to a minor.
- Illegal transportation of liquor.
- Possession of liquor by a minor.
- All attempts to commit any of the above.

## 23. DRUNKENNESS

*Include in this class all offenses of drunkenness or intoxication, with the exception of “OUI” (Class 21).*

**NOTE:** Although “Drunkenness” and/or “Intoxication” offenses have been removed from a criminal offense category by the Maine Legislature, the category remains in the Uniform Crime Reporting Part II offenses and is to be used administratively. Persons taken into custody and/or referred to alcohol rehabilitation or “De-Tox” centers should be scored in this category by age, sex and race.

## 24. DISORDERLY CONDUCT

*Count in this class all disorderly persons arrested except those counted in classes 1 through 23.*

## 25. VAGRANCY

*Maine criminal code has eliminated this as a violation, therefore arrests should no longer be scored for this offense.*

## 26. ALL OTHER OFFENSES

*Include in this class every other state or local offense not included in classes 1 through 25.*

- Admitting minors to improper places.
- Bigamy and polygamy.
- Blackmail and extortion.
- Bribery.
- Contempt of court.
- Discrimination, unfair competition.
- Kidnapping.
- Offenses contributing to juvenile delinquency (except as provided for in classes 1 through 25), such as employment of children in immoral vocations or practices, etc.
- Perjury and subornation of perjury.
- Possession, repair, manufacture, etc. of burglar’s tools.
- Possession or sale of obscene literature, pictures, etc.
- Public nuisances.
- Riot and rout.
- Trespass.
- Unlawfully bringing contraband into prisons or hospitals.
- Unlawful use, possession, etc. of explosives.

- Violations of state regulatory laws and municipal ordinances.
- Service of warrants.
- All offenses not otherwise classified.
- All attempts to commit any of the above.

## 27. SUSPICION

*Not reported in Maine.*

## 28. CURFEW AND LOITERING LAWS

*(Juveniles) Count all arrests made for violations of local curfew or loitering ordinances.*

## 29. RUNAWAY (Juveniles)

*For purposes of the UCR program, report in this category apprehensions for protective custody as defined by local statute. Arrest of runaways from one jurisdiction by another agency should be counted by the home jurisdiction. Do not include protective custody actions with respect to runaways taken for other jurisdictions.*

# CALCULATION OF RATES

*The Uniform Crime Reporting program provides data for police executives to measure local problems. To facilitate this function, the local data must be converted into terms of rates and percentages. Simple formulas are presented which may assist in these computations.*

## CRIME RATES

One of the most meaningful crime statistics is the crime rate. This is the number of Part I offenses per 1,000 inhabitants. This rate can be calculated for any city, town or county.

To compute crime rates, divide the community population by 1,000 and divide the number of offenses in each class by that number. The answer is the number of offenses per 1,000 population and is the crime rate for that particular offense.

### Example:

- Population = 75,000.
  - Number of burglaries = 215.
- Divide  $75,000 \div 1,000 = 75.0$ .  
Divide  $215 \div 75.0 = 2.87$ .

The crime rate for burglary is 2.87 per 1,000 inhabitants. This same computation can be completed to give you arrest rates per 1,000 inhabitants.

## CLEARANCE RATES

The percentage of crimes cleared is obtained by dividing the number of offenses cleared by the number of offenses known. This answer is then multiplied by 100.

### Example:

- Number of clearances in robbery = 38.
  - Number of total robberies = 72.
- Divide  $38 \div 72 = 0.528$ .  
Multiply  $0.528 \times 100 = 52.8$ .  
The clearance rate for robbery is 52.8%.

## CRIME TREND DATA

Local agencies can compute crime trends for a given offense for their individual agency for a particular period of time.

### Example:

- Auto thefts in your jurisdiction for July through December last year were 21.
- Auto thefts in your jurisdiction for July through December this year were 29.

Subtract  $29 - 21 = 8$ . Notice that 8 is an increase over the past year.

Divide  $8 \div 21 = 0.38$ . Always divide the difference by the total in the earlier time period.

Multiply  $0.38 \times 100 = 38.0$ .

Your trend in auto theft is a 38.0% increase for the last six months of this year as compared to the last six months of last year.

## POLICE EMPLOYEE DATA

Police employee rates are expressed as the number of employees per 1,000 inhabitants of your city or town. To compute this rate, divide your population by 1,000 and divide the number of employees in your department by this number.

### Example:

- Your jurisdiction's population = 75,000.
  - Your agency's number of employees = 102.
- Divide  $75,000 \div 1,000 = 75$ .  
Divide  $102 \div 75 = 1.36$ .

Your employee rate is 1.36 employees per 1,000 inhabitants.